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**FACSIMILE COVER SHEET**

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m.B.*

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**TO:** Examiner Michael Borin  
Group Art Unit 1631  
USPTO

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**FROM:** Haiyan Chen  
202-721-5492 (direct dial)

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**RE:** Application No. 09/674,973  
Attorney Docket No. 01702.401500

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**FAX NO.:** 703-746-5237

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**DATE:** February 11, 2003      **NO. OF PAGES:** 19  
(including cover page)

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**TIME:**      **SENT BY:**

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**MESSAGE****Examiner Borin:**

Further to our discussion this morning, enclosed please find:

- 1) a Response to the 1/31/03 Office Action;
- 2) a copy of the Preliminary Amendment filed 11/8/00; and
- 3) a copy of the date-stamped postcard acknowledging receipt of the Preliminary Amendment.

Thank you.

**IF YOU DO NOT RECEIVE ALL THE PAGES  
PLEASE CALL 202-530-1010 AS SOON AS POSSIBLE.**

**Note:** We are transmitting from a Canon Model FAX-L770  
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PD  
2-20-03

1702.401500

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
GUSTAV GAUDERNACK, ET AL.	:	Examiner: M. Borin
Int'l Appln. No.: PCT/NO99/00143	)	
	:	Group Art Unit: 1631
U.S. Appln. No.: 09/674,973	)	
	:	
Nat'l Entry Date: November 8, 2000	)	
	:	
For: PEPTIDES	)	February 11, 2003

Commissioner for Patents  
Washington, D.C. 20231

Facsimile Response to Office Action

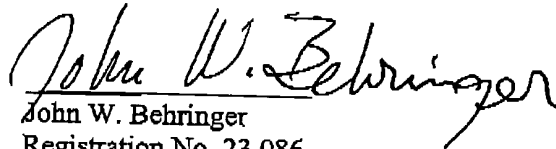
Sir:

In the Office Action mailed January 31, 2003 in the above-identified application, a restriction requirement has been imposed. Today, upon finding that the restriction requirement was based on the claims in the PCT application rather than the claims presented in the Preliminary Amendment filed November 8, 2000, Applicants contacted the Examiner regarding the error. The Examiner informed Applicants that the PTO record does not indicate the filing of a Preliminary Amendment in this application, and suggested that Applicants send copies of the Preliminary Amendment filed November 8, 2000, and the receipt-acknowledgment postcard to the Examiner via facsimile.

Accordingly, Applicants submit herewith a copy of the Preliminary Amendment filed November 8, 2000, together with a copy of the receipt-acknowledgment postcard. Applicants respectfully request that a new Office Action be issued in this application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



John W. Behringer  
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Attorney for Applicants

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